

REMARKS

This Response is submitted in reply to a Final Office Action mailed January 8, 2008, issued in connection with the above-identified application. Claims 27-32 are pending in the application. Claims 27 and 28 stand rejected under 35 U.S.C. §112, first paragraph, claims 27-32 stand rejected under 35 U.S.C. §102(e), and claims 29-32 stand rejected in the alternative under 35 U.S.C. §103(a). In response, Applicants have amended claims 27 and 28 to incorporate the previous claims 30 and 32, have cancelled claims 29-32, and have added new claims 33-38 in order to more narrowly claim the invention. No new material has been added by way of this amendment. The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Applicants would like to acknowledge and thank Examiner Wartalowicz for the telephone interview on March 19, 2008. This Response is based on the discussions between the Examiner and Applicants in that interview, and the arguments set forth herein are reflective of the arguments asserted by the Applicants.

In the Office Action, claims 27 and 28 are rejected under §112, first paragraph, as failing to comply with the written description requirement, and under §102(e) as being anticipated by Pecharsky (U.S. Patent 6,773,692). The issue in both these rejections surrounds the requirement in claims 27 and 28 for “in the absence of mechanical treatment in an inert environment.” Applicants reiterate that support for this limitation is present in the disclosure at least in examples 1-3. The Examiner has viewed that evidence differently. While the Applicants disagree with this interpretation, and continue to assert that support is present in the application and that this limitation is not disclosed by Pecharsky, this issue is now moot in view of the amendments to claims 27 and 28.

In the Office Action, claims 27-32 are rejected under §102(e) as being anticipated by Pecharsky, and claims 29-32 are rejected in the alternative under §103(a) in view of Pecharsky. These rejections are now moot in view of the amendments to the claims. Independent claims 27 and 28 require a dopant functioning as a catalyst, wherein the dopant contains at least one species selected from the group consisting of transition metals belonging to Groups III to V of the periodic table, and at least one species selected from the group consisting of alkali metals.

Claims 27 and 28 further require that the amount of dopant ranges from about 0.2 mole % to about 10 mole % versus the amount of aluminum hydride.

As discussed in the telephone interview, Pecharsky does not supply the limitation of a dopant at 0.2-10 mole % compared to the aluminum hydride, where the dopant comprises a transition metal from groups III-V and an alkali metal, because Pecharsky fails to disclose the alkali metal in the dopant at the range set forth in the claims. In the Office Action, the Examiner pointed to examples 1-2 and 4 in Pecharsky as support for the alkali metal limitation. However, as pointed out in the interview, the alkali metal in those examples is part of the alanate, i.e. the hydride, and therefore would be present in a *stoichiometric* amount of the aluminum hydride. In contrast, the inventive claims require the alkali metal be present as part of the dopant and cannot be present in more than 10 mole % compared to the aluminum hydride. Pecharsky does not teach this limitation and consequently does not anticipate or make obvious claims 27 and 28.

Dependent claims 33-38 have been added in this Response to office action. These new claims are simply further limitations to the dopant, requiring that the dopant contain either titanium, sodium, or both titanium and sodium. As such, they do not add new material to the claims and are fully supported in the specification at least in example 3, 4 and 5.

For the reasons set forth above, Applicants respectfully submit that Pecharsky does not anticipate or make obvious the current set of claims, and thus believe that the present application is in condition for allowance in view of same. The Examiner is encouraged to contact that undersigned with any questions he may have.

Respectfully submitted,

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